


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 028622/0101

In re patent application of

Achim DICKMANNNS et al.

Serial No. 08/981,583

Group Art Unit: 1642

Filed: February 3, 1998

Examiner: A. Harris

IMMORTALIZED EPITHELIAL TUMOR CELL

AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.116

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This responds to the Office Action mailed October 22, 2002. Enclosed is a Petition for a Two Month Extension of Time to extend the time to respond until March 22, 2002, which is within the statutory period. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee from Deposit Account No. 19-0741.

REMARKS

Claims 1-12, 16-22, 29-31, 33-35 and 38 are pending in this application. Applicants acknowledge the Examiner's withdrawal of all of the obviousness rejections based on Carney *et al.* as the primary reference.

Rejection under 35 U.S. C. § 103

1. **Claims 1-10, 16-22 and 38**

Claims 1-10, 16-22 and 38 are alleged to be obvious over Ohnuki *et al.* ("Ohnuki") in view of Garcia *et al.* ("Garcia") and Chang *et al.* ("Chang"). The Examiner alleges that Ohnuki teaches disseminated human prostatic adenocarcinoma tumor cell lines that are autologous cells with metastatic potential that are derived from bone marrow. The Examiner states that Ohnuki does not teach that the cell has integrated in its genome or another replicative genetic element, DNA encoding the early region (large T antigen) of